

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

DARRIN MYLES HARTLEY,

Defendants.

CASE NO. CR20-0152-JCC

ORDER

This matter comes before the Court on Defendant's unopposed motion to continue trial (Dkt. No. 26). Defendant is charged by Indictment with Possession of Controlled Substances with Intent to Distribute. (Dkt. No. 9.) Trial is scheduled for January 10, 2022. (Dkt. No. 25.) Defendant moves to continue. (Dkt. No. 26 at 1.) He indicates that additional time is necessary to prepare, in light of his present COVID-19 diagnosis and the need for more time to complete dental procedures necessary to allow him to fully participate in his defense. (*Id.* at 2.)

Having thoroughly considered the motion and the relevant record, the Court FINDS that the ends of justice served by granting a continuance outweigh Defendant and the public's interest in a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A). Specifically, taking into account the exercise of due diligence, the failure to grant a continuance would deny Defendant's counsel reasonable time necessary for effective preparation, *see* 18 U.S.C. § 3161(h)(7)(B)(iv), and would therefore result in a miscarriage of justice, *see* 18 U.S.C. § 3161(h)(7)(B)(i).

1 Accordingly, the Court GRANTS Defendant's motion (Dkt. No. 26) and ORDERS:

- 2 1. The January 10, 2022 jury trial is CONTINUED until February 22, 2022.
- 3 2. The pretrial motions deadline is CONTINUED until January 17, 2022.
- 4 3. The period from the date of this order until February 22, 2022 is an excludable time
- 5 period under 18 U.S.C. § 3161(h)(7)(A).

6 DATED this 13th day of December 2021.

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10 John C. Coughenour  
UNITED STATES DISTRICT JUDGE